

REMARKS

The application has been reviewed in light of the Office Action dated February 12, 2003. Claims 1-20 are pending and presented for examination in this application. Claims 1, 6, 15 and 20 are in independent form.

Claims 1, 2, 4-7, 9 and 20 have been amended hereby to place the claims in better form for examination and to clarify the claimed invention. It is submitted that no new matter has been added by the present amendment.

Claims 4, 5 and 7 were objected to as having informalities. Claim 9 was rejected under 35 U.S.C. § 112, second paragraph, as purportedly indefinite.

Claims 4, 5, 7 and 9 have been amended hereby to place the claims in better form for examination.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the objection to claims 4, 5 and 7, and reconsideration and withdrawal of the rejection of claim 9 under 35 U.S.C. § 112, second paragraph.

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,078,897 to Rubin et al. Applicants have carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 6, 15 and 20 are patentable over the cited art, for at least the following reasons.

Independent claim 1 relates to a method of promoting product sales in Internet transactions. Display information is delivered

to a customer side for ordering products by entering order information at the customer side for transmission to a seller side via the Internet. In response to an initial order entered at the customer side for a specified product and a specified quantity thereof that is in a first selected range, order processing information is delivered, without promotion information, to the customer side for the initial order. If the specified quantity of the specified product of the initial order is in a second selected range higher than the first range, display information indicative of at least a first promotion functionally related to the initial order that is within the second range is delivered to the customer side.

Thus, promotion information is displayed only if the initial order has a selected characteristic (that is, in the case of claim 1, the order meets or exceeds a minimum quantity). For example, as discussed in the application at, for example, page 7, lines 10-16, quantity-based promotions are not always appropriate. A customer may only desire to obtain a few units of a product, and would not be interested in a volume discount. Therefore, when the initial order is for only a few units (i.e. in the first range recited in claim 1), there is no need to display quantity-based promotions.

Rubin, as understood by Applicants, relates to computer software for ordering goods and/or services. According to Rubin, when a proposed order is received from a user, one or more additional orders is identified (regardless of whether the

proposed order is a minimal quantity) that, when added to the proposed order increases the discount for the order to a volume discount threshold that is higher than the volume discount of the proposed order. The difference in the discounted price between the proposed order on the one hand and the proposed order with each of the additional orders added on the other hand is displayed to the user even if the proposed order is for a minimal quantity.

Applicants find no disclosure or suggestion by Rubin et al., however, of delivering order processing information to the customer side for an initial order entered at the customer side for a specified product and a specified quantity thereof, if the specified quantity of the specified product of the initial order is in a first selected range, and delivering to the customer side display information indicative of at least a first promotion functionally related to the initial order if the specified quantity of the specified product of the initial order is in a second selected range higher than the first range, as provided by the method recited in independent claim 1 as amended.

Since Rubin does not disclose or suggest each and every feature of the claimed invention, Rubin does not render the claimed invention unpatentable.

Independent claims 6, 15 and 20 are patentably distinct from Rubin for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicants respectfully submit that independent claims 1, 6, 15

and 20, and the claims depending therefrom, are patentable over the cited references.

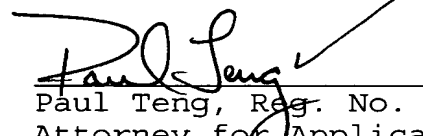
The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an additional extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

  
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